

MESSAGE NO: 3205306 MESSAGE DATE: 07/24/2013

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐

SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 1133311, 1202301, 1220301,
MESSAGE # 1222303, 1270301
(s):

CASE #(s): A-570-937

EFFECTIVE DATE: 06/05/2013 COURT CASE #: 11-00172

PERIOD OF REVIEW: 05/01/2010 TO 04/30/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/24/2013

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for citric acid and certain citrate salts from the PRC entered, or withdrawn from warehouse, for consumption by Global Commodity Group LLC (A-570-937), Court No. 11-00172.

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 03/07/2013, the Court of Appeals for the Federal Circuit issued a final decision in Global Commodity Group LLC v. United States (Court. No. 2012-1346). As a result of this decision, the injunction to which message 1220301 (corrected by message 1222303) refers enjoining liquidation of entries which are subject to the antidumping duty order on citric acid and certain citrate salts from People's Republic of China (A-570-937) that were (1) entered, or withdrawn from warehouse, for consumption by Global Commodity Group LLC, (2) that consist of citric acid of Chinese origin that was blended in the Dominican Republic with citric acid of non-Chinese origin, and (3) that were subject to the May 2, 2011 scope ruling (see Message 1133311 dated 05/13/2011), dissolved on 06/05/2013.

2. For all shipments of citric acid and certain citrate salts from the People's Republic of China that were (1) entered, or withdrawn from warehouse, for consumption by Global Commodity Group LLC, (2) that consist of citric acid of Chinese origin that was blended in the Dominican Republic with citric acid of non-Chinese origin, and (3) that were subject to the May 2, 2011 scope ruling, assess antidumping duties equal to the applicable rate in effect on the date of entry as referenced in the messages below. (NOTE: Entries of this merchandise may have entered under A-247-937, which is the case number that covers entries of citric acid and certain citrate salts from the Dominican Republic that may be subject to the antidumping duty order on citric acid and certain citrate sales from the People's Republic of China).

Message number 1202301, dated 07/21/2011

Message number 1270301, dated 09/27/2011 (corrected by message 1311301, dated 11/07/2011)

Message number 1271301, dated 09/28/2011 (corrected by message 1307301, dated 11/03/2011)

The following messages did not refer to the injunction noted in paragraph 1 above. Nevertheless

Message Date: 07/24/2013

Message Number: 3205306

Page 2 of 5

shipments of citric acid and certain citrate salts from the People's Republic of China that were (1) entered, or withdrawn from warehouse, for consumption by Global Commodity Group LLC, (2) that consist of citric acid of Chinese origin that was blended in the Dominican Republic with citric acid of non-Chinese origin, and (3) that were subject to the May 2, 2011 scope ruling, during the applicable time period, should be liquidated in accordance with the following messages.

Message number 2117303, dated 04/26/2012

Message number 2117305, dated 04/26/2012 (corrected by message number 2193302, dated 07/11/2012)

Message number 2131301, dated 05/10/2012

Message number 2213306, dated 07/31/2012

Message number 3004301, dated 01/04/2013

Message number 3004302, dated 01/04/2013

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of citric acid and certain citrate salts from People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

4. There are no other injunctions applicable to the entries covered by this injunction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duty and/or increase the antidumping duty by the amount of the countervailing duties in accordance with the above-

referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O1:MK.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party